

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
) CR-18-00258-EJD
 PLAINTIFF,)
) SAN JOSE, CALIFORNIA
 VS.)
) JULY 5, 2022
 RAMESH "SUNNY" BALWANI,)
) VOLUME 44
 DEFENDANT.)
) PAGES 7748 - 7751

TRANSCRIPT OF TRIAL PROCEEDINGS
BEFORE THE HONORABLE EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S:

FOR THE PLAINTIFF: UNITED STATES ATTORNEY'S OFFICE
BY: JOHN C. BOSTIC
JEFFREY B. SCHENK
150 ALMADEN BOULEVARD, SUITE 900
SAN JOSE, CALIFORNIA 95113

BY: ROBERT S. LEACH
1301 CLAY STREET, SUITE 340S
OAKLAND, CALIFORNIA 94612

(APPEARANCES CONTINUED ON THE NEXT PAGE.)

OFFICIAL COURT REPORTER:
IRENE L. RODRIGUEZ, CSR, RMR, CRR
CERTIFICATE NUMBER 8074

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY
TRANSCRIPT PRODUCED WITH COMPUTER

1 A P P E A R A N C E S: (CONT'D)

2 FOR DEFENDANT BALWANI: ORRICK, HERRINGTON & SUTCLIFFE LLP
3 BY: SHAWN ESTRADA
4 THE ORRICK BUILDING
 405 HOWARD STREET
 SAN FRANCISCO, CALIFORNIA 94105

5 BY: JEFFREY COOPERSMITH
6 AARON BRECHER
 701 FIFTH AVENUE, SUITE 5600
 SEATTLE, WASHINGTON 98104

7 BY: STEPHEN CAZARES
8 77 SOUTH FIGUEROA STREET, SUITE 3200
 LOS ANGELES, CALIFORNIA 90017

9 BY: AMY WALSH
10 51 W 52ND STREET
 NEW YORK, NEW YORK 10019

11
12 ALSO PRESENT: OFFICE OF THE U.S. ATTORNEY
13 BY: MADDI WACHS, PARALEGAL
 SARA SLATTERY, PARALEGAL

14 UNITED STATES POSTAL INSPECTION SERVICE
15 BY: CHRISTOPHER MCCOLLOW

16 FEDERAL BUREAU OF INVESTIGATION
17 BY: MARIO C. SCUSSEL

18 UNITED STATES FOOD & DRUG
19 ADMINISTRATION
20 BY: GEORGE SCAVDIS

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1 SAN JOSE, CALIFORNIA

JULY 5, 2022

2 P R O C E E D I N G S

03:30PM 3 (COURT CONVENED AT 3:30 P.M.)

03:30PM 4 (JURY OUT AT 3:30 P.M.)

03:30PM 5 THE COURT: WE ARE ON THE RECORD IN THE BALWANI
03:30PM 6 MATTER.

03:30PM 7 WE ARE OUTSIDE OF THE PRESENCE OF THE DELIBERATING JURY.

03:30PM 8 LET ME JUST HAVE COUNSEL STATE THEIR APPEARANCES, PLEASE.

03:30PM 9 MR. SCHENK: GOOD AFTERNOON, YOUR HONOR.

03:30PM 10 JEFF SCHENK, JOHN BOSTIC, AND ROBERT LEACH ON BEHALF OF
03:30PM 11 THE UNITED STATES.

03:30PM 12 THE COURT: THANK YOU. GOOD AFTERNOON.

03:30PM 13 MR. COOPERSMITH: GOOD AFTERNOON, YOUR HONOR.

03:30PM 14 JEFF COOPERSMITH ON BEHALF OF MR. BALWANI. HE'S PRESENT.

03:31PM 15 I'M JOINED BY MY COLLEAGUES, AMY WALSH, STEPHEN CAZARES,
03:31PM 16 AND AARON BRECHER.

03:31PM 17 THE COURT: THANK YOU. I'VE ALERTED YOU HERE TO LET
03:31PM 18 YOU KNOW THAT WE HAVE RECEIVED A NOTE FROM THE JURY. IT'S NOTE
03:31PM 19 NUMBER 4.

03:31PM 20 DO YOU HAVE THOSE? YOU CAN DISTRIBUTE THOSE NOW. THE
03:31PM 21 NOTE IS -- IT READS: "UPDATED SCHEDULE. SEE ATTACHED."

03:31PM 22 YOU WILL SEE THAT THE ORIGINAL TO OUR COURTROOM DEPUTY WAS
03:31PM 23 A POST-IT NOTE, AND THIS SCHEDULE WAS ATTACHED TO THE POST-IT
03:31PM 24 NOTE.

03:31PM 25 YOU SEE IT APPEAR ON THE SECOND PAGE, AND I JUST WANTED TO

03:31PM 1 PROVIDE THAT TO YOU FOR YOUR INFORMATION.

03:31PM 2 MR. COOPERSMITH: THANK YOU, YOUR HONOR.

03:31PM 3 THE COURT: ANYTHING FURTHER?

03:31PM 4 MR. SCHENK: NO.

03:31PM 5 THE COURT: OKAY. GREAT. THANK YOU VERY MUCH.

03:31PM 6 MR. COOPERSMITH: THANK YOU.

03:31PM 7 MR. SCHENK: THANK YOU.

03:32PM 8 THE CLERK: COURT IS ADJOURNED.

03:32PM 9 (COURT ADJOURNED AT 3:32 P.M.)

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CERTIFICATE OF REPORTER

I, THE UNDERSIGNED OFFICIAL COURT REPORTER OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, 280 SOUTH FIRST STREET, SAN JOSE, CALIFORNIA, DO HEREBY CERTIFY:

THAT THE FOREGOING TRANSCRIPT, CERTIFICATE INCLUSIVE, IS A CORRECT TRANSCRIPT FROM THE RECORD OF PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.

A handwritten signature in black ink that reads "Irene Rodriguez". The signature is written in a cursive, flowing style with a large, decorative flourish at the end of the last name.

IRENE RODRIGUEZ, CSR, RMR, CRR
CERTIFICATE NUMBER 8074

DATED: JULY 5, 2022